

Attorney's Docket No. 740105-78

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Gerd M. MÜLLER et al.

Application No.: 09/938,533

Filed: August 27, 2001

For: AT LEAST PARTIALLY IMPLANTABLE  
HEARING SYSTEM

Group Art Unit: 3736

Examiner: J.M. Foreman

FAX RECEIVED

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GROUP 3700

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: Fax No. (703) 872-9302 on January 13, 2003.

*K.M. McManus*  
K.M. McManus

REQUEST FOR REMAILING OF RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

A Restriction Requirement was mailed on October 8, 2002, according to the Patent Application Information Retrieval (PAIR), copy attached, as of January 13, 2003. Applicants' attorney never received this Restriction Requirement from the U.S. Patent and Trademark Office. A copy of Applicants' attorney docket information for the above-identified application is attached showing that as of January 13, 2003, no Restriction dated October 8, 2002 has been received and docketed.

It is respectfully requested that the Examiner resend the Restriction Requirement and re-start the period for response as of the mailing date of the re-sent Office Action.

Respectfully submitted,

Dated: January 13, 2003

By:

*David S. Safran*  
David S. Safran

Registration No. 27,997

NIXON PEABODY LLP  
8180 Greensboro Drive, Suite 800  
McLean, Virginia 22102  
Telephone: (703) 790-9110



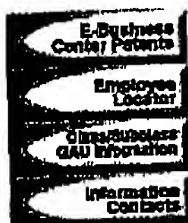
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## PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



| Search results for application number: 09/938,533 |                     |                         |                      |
|---|---------------------|-------------------------|----------------------|
| Application Filing Date:                          | 08-27-2001          | Class / Sub-Class:      | 600/025.000          |
| Issue Date of Patent:                             | -                   | Location:               | TC 3700 CENTRAL 3C24 |
| Examiner Name:                                    | FOREMAN, JONATHAN M | Status:                 | Non Final Action M   |
| Group Art Unit:                                   | 3736                | Attorney Docket Number: | 740105-78            |
| Earliest Publication No:                          | US 2002-0038072 A1  | Patent Number:          | -                    |
| Earliest Publication Date:                        | 03-28-2002          | Customer Number:        | 22204                |
| Confirmation Number:                              | 2799                |                         |                      |

Continuity Data

Publication Review

Full-text and Images

### File Contents History

| Number | Date       | Contents Description   |
|--------|------------|--|
| 14     | 10-08-2002 | Mail Restriction Requirement                                   |
| 13     | 10-07-2002 | Requirement for Restriction / Election                         |
| 12     | 09-04-2002 | Case Docketed to Examiner in GAU                               |
| 11     | 05-09-2002 | Case Docketed to Examiner in GAU                               |
| 10     | 02-20-2002 | Information Disclosure Statement (IDS) Filed                   |
| 9      | 08-22-2001 | Request for Foreign Priority (Priority Papers May Be Included) |
| 8      | 02-02-2002 | Case Docketed to Examiner in GAU                               |
| 7      | 09-27-2001 | Application Dispatched from OIPE                               |
| 6      | 09-27-2001 | Application Dispatched from OIPE                               |
| 5      | 09-27-2001 | Application Dispatched from OIPE                               |
| 4      | 09-27-2001 | Application Dispatched from OIPE                               |
| 3      | 09-26-2001 | Correspondence Address Change                                  |
| 2      | 08-31-2001 | Application Scanned  |
| 1      | 08-27-2001 | Initial Exam Team nn   |

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NO. 4615 P. 3

## PATENT CASE INFORMATION

01/13/2003 @ 09:12

CUSTOMER NO: 22204

DOCKET NO: 740105-000078  
 ENTITY: LARGE

ORIG. ATTY: SAFRAN, DAVID S.  
 RESP. ATTY: SAFRAN, DAVID S.  
 WORK. ATTY: SAFRAN, DAVID S.

TITLE: AT LEAST PARTIALLY IMPLANTABLE HEARING SYSTEM

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STATUS: PENDING  
 CASE TYPE: UTILITY  
 APP TYPE: FOREIGN BASED

CLIENT: Schwan Schwan Schorer  
 REF: 58US  
 CONTACT:  
 ASSIGNEE: COCHLEAR LIMITED  
 RECORDATION DATE: 04/04/2002

REEL: 12754

DATE:  
 FRAME: 0624-0635

INVENTORS:  
 MULLER, GERD M.

LEYSIEFFER, HANS

FOREIGN ASSOCIATE:

## TABLE OF CONTENTS FOR 740105-000078

| OFFICIAL ACTION   | RESPONSE<br>DUE | RVU | RESPONSE<br>FILED | RESPONSE                                |
|---|-----------------|-----|-------------------|---|
| HAS PTO ACTED ON APPLICATION?   | 02/27/2003      | YES |                   |   |
| FILE IDS, REFERENCE CITED IN U.S. PATENT NO.<br>5,788,711 PER 01/13/02 CLIENT FAX | 01/20/2003      | —   |                   |   |
| FILE ASSIGNMENT REC'D BY 03/20/02 FAX   | 04/04/2002      | PLL |                   | FILED 04/04/02                          |
| INFORMATION DISCLOSURE DOCUMENTS DUE<br>(application filed 08/27/01)              | 12/27/2001      | PLL | 02/20/2002        | IDS, 1449, 30 REFERENCES FILED 12/19/01 |
| FILE IDS  | 12/20/2001      | —   | 01/16/2002        | IDS, 1449, 3 REFS MAILED 12/20/01       |
| OFFICIAL FILING RECEIPT RECEIVED?   | 10/01/2001      | —   | 10/01/2001        | OFR REC'D 10/01/01                      |
| LAST DAY FOR FILING IN U.S.   | 09/25/2001      | YES | 08/27/2001        | DEC. ASSIGNMENT, DRAWINGS H/C 08/27/01  |

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NOTES: OLD RECORDATION DATE 08/27/01, REEL 12118 & PAGES 0168-0169 \* NOTICE  
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 TO IMPLEX AKTIENGESellschaft HEARING TECHNOLOGY \* CERTIFIED COPY OF  
 PRIORITY DOCUMENT REC'D 08/13/01 BY 08/08/01 LETTER

(CONTINUED ON NEXT PAGE)

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CASE INFORMATION (CONTINUED) FOR DOCKET NO: 740105-000078

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OLD MATTER NO:

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